

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED
MAR 12 2018
Clerk, U.S. Courts
District Of Montana
Missoula Division

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DANIEL SZWEDKOWICZ,

Defendant.

CR 14-06-M-DLC

ORDER

Before the Court is Defendant Daniel Szwedkowicz's ("Szwedkowicz") motion for early termination of supervised release pursuant to 18 U.S.C. § 3583. In support of this motion, Szwedkowicz provides that he has had no violations under supervision. The United States Government does not oppose Szwedkowicz's request for early termination.

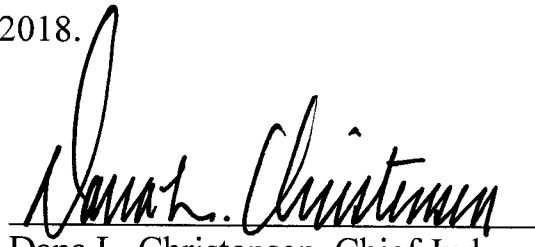
Federal law provides that a court may "terminate a term of supervised release . . . at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." *See* 18 U.S.C. § 3583(e)(1). In determining whether to terminate a term of supervised release, a court shall consider the factors set forth in 18 U.S.C. § 3553(a), including: "(1) the nature and circumstances of the

offense and the history and characteristics of the defendant; (2) deterrence; (3) protection of the public; (4) the need to provide the defendant with educational, vocational training, medical care or other rehabilitation; (5) the sentence and sentencing range established for the category of defendant; (6) any pertinent policy statement by the Sentencing Commission; (7) the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct; and (8) the need to provide restitution to any victims of the offense.” *United States v. Smith*, 219 Fed. Appx. 666, 667 n. 3 (9th Cir. 2007) (unpublished).

Here, the Court finds that Szwedkowicz’s conduct during his term of supervised release and the interests of justice warrant granting the motion. Szwedkowicz has fully complied with his conditions of supervised release, has made great strides in rehabilitating himself, and has maintained steady employment. His probation officer indicates that he is not a danger to the community and has been a productive member of society since his release from incarceration. Szwedkowicz was released from incarceration in November 2015, and his term of supervision is set to expire on November 2, 2018. Thus, he has served well over half of his term of supervised release. The interests of justice will be best served by allowing Szwedkowicz to move on with his life.

Accordingly, IT IS ORDERED that Szwedkowicz's motion for early termination of supervised release (Doc. 148) is GRANTED. The term of supervised release imposed by the Court on September 2, 2014, is TERMINATED as of the date of this Order. Szwedkowicz is hereby DISCHARGED from the sentence of supervised release in this case.

Dated this 12th day of March, 2018.


Dana L. Christensen, Chief Judge
United States District Court